

REMARKS/ARGUMENTS

In the Office Action mailed October 30, 2008, claims 11-17 have been withdrawn from consideration and claims 1-10 were rejected by the Examiner. New claims 18-25 have been submitted for consideration. Support for these claims can be found in the specification as originally filed. Applicants have thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the references cited therein. The following remarks are believed to be fully responsive to the Office Action. All the pending claims at issue are believed to be patentable over the cited references.

SPECIFICATION

Applicant has made amendments to the specification in line with the Examiner's requests. Specifically, Applicant has incorporated the features and language of claim 1 into paragraph [0004] under the FIELD OF INVENTION section of the application. Applicants respectfully request that the objection to the specification be removed and the amendments be entered.

CLAIM OBJECTIONS

The Examiner objected to Claim 1 because of the following informalities: Claim 1 should start with the phrase "A cargo deck" instead of just "Cargo deck", and the end of Claim 1 is allegedly unfinished.

Without conceding the propriety of the rejection, claim 1 has been amended to recite "A cargo deck...." Regarding claim 1 being unfinished, Applicant is somewhat confused as to the Examiner's conclusion. Applicant believes the claim to be complete as the claim concludes reciting the feature of the longitudinal beams being attached to the outer skin and the floor modules are mounted to the longitudinal beams. Accordingly Applicant respectfully asks that

the Examiner explain the conclusion that the claim is “unfinished” so the Applicant may more completely respond to the objection.

Accordingly, in light of aforementioned comments, withdrawal of these objections to claim 1 is respectfully requested.

CLAIM REJECTIONS – 35 U.S.C. §102

The Examiner rejected claims 1, 2, and 4-10 under 35 U.S.C. §102(b) as being anticipated by Bergholz (US 4,479,621). Applicant respectfully traverses this rejection. In light of the following remarks, Applicants respectfully submit that these claims are allowable.

Claim 1 recites, inter alia, “a plurality of longitudinal beams attached to said outer skin on which said floor modules are mounted.” Applicant respectfully submits that the Examiner has equated the “stringer” feature identified by reference numeral 17 in Bergholz with the longitudinal beam features of the claimed invention. Moreover, Applicant respectfully submits that the Examiner has equated the “floor plates” identified by reference numeral 12 in Bergholz with the “floor modules” of the claimed invention.

Applicant respectfully submits, contrary to the Examiner’s assertion, claim 1 does not recite that the floor modules are mounted to the longitudinal beams, but instead recites that the floor modules are mounted on the longitudinal beams. Applicant submits that in its most standard meaning, the preposition “on” means “in physical contact with and supporting by.” To the contrary, the floor plates 12 of Bergholz however are neither in physical contact with, nor supported by, the stringer feature 17 disclosed in Bergholz. Accordingly, Applicant submits Bergholz fails to anticipate claim 1 for at least the above-discussed reasons.

Claims 2, and 4-10 depend from claim 1 and are believed to be allowable over the Bergholz for at least the same reasons discussed above.

More specifically, turing to the rejection of claim 5, Applicant wishes to point out that Bergholz explicitly teaches a transfer of longitudinal forces from the floor plates 12 to the fuselage outer structure via the rod 21 which is the opposite of the features recited in claim 5. See, for example, column 4, lines 18-21. Moreover, in viewing Figures 9 and 10 of Bergholz, it is readily apparent that the longitudinal forces are transferred from the floor plates 12 to the stringers 17 of Bergholz. Accordingly, in light of the aforementioned comments and remarks, Applicant respectfully submits that Bergholz explicitly teaches away from the recited features of claim 5

Accordingly, in light of the aforementioned remarks, withdrawal of this rejection is respectfully requested.

CLAIM REJECTIONS – 35 U.S.C. §103

The Examiner rejected claim 3 under 35 U.S.C. §103(a) as being unpatentable over Bergholz. Applicant respectfully traverses this rejection.

Turing to the rejection of claim 3, it depends from claim 1 and therefore recites “a plurality of longitudinal beams attached to said outer skin on which said floor modules are mounted.” As discussed in connection with the 102 rejection of the Office Action, Bergholz fails to disclose as least this aspect of the claim.

Accordingly, in light of the aforementioned comments and remarks, Applicant respectfully submits that prima facie case for obviousness has not been established.


CONCLUSION

In view of the foregoing remarks, Applicants respectfully request that all the objections and rejections to the claims be removed and that the claims pass to allowance. If, for any reason, the Examiner disagrees, please call the undersigned attorney at 202-861-1714 in an effort to

resolve any matter still outstanding before issuing another action. The undersigned Attorney is confident that any issue which might remain can readily be worked out by telephone.

In the event this paper is not timely filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036 with reference to our Docket No. 59482.21880

Respectfully submitted,
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